

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

RON BURDEN,
Plaintiff

vs

CINCINNATI POLICE CHIEF
STRIKER, et al.,
Defendants.

Case No. 1:08-cv-617

Dlott, J.
Hogan, M.J.

**ORDER DISMISSING CASE
FOR FAILURE TO COMPLY WITH
DEFICIENCY ORDER**

On September 19, 2008, the Court ordered plaintiff to sign his complaint and return the complaint to the Clerk of Court within thirty (30) days if he still wished to file a complaint in this matter. (Doc. 2). On September 26, 2008, the Court also ordered plaintiff to submit a complete application to proceed without prepayment of fees form and a certified copy of his trust fund account statement (or institutional equivalent) or pay the full filing fee of \$350 within thirty (30) days. (Doc. 3). Plaintiff was further ordered to submit a signed complaint, a proper summons form, and a United States Marshal form for each of the defendants named in his lawsuit within thirty (30) days. *Id.* Plaintiff was notified that his failure to comply with the Deficiency Order would result in the dismissal of his case for want of prosecution. Plaintiff was also informed that if his case is dismissed for failure to comply with the Deficiency Order, his case will not be reinstated to the Court's active docket despite the payment of the filing fee. *Id.*

To date, plaintiff has failed to comply with the Court's Deficiency Order or to submit a signed complaint in this matter. Accordingly, dismissal is appropriate. Fed. R. Civ. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962); *Walker v. Dallman*, No. 92-3817, 1993 U.S. App. LEXIS 4661 (6th Cir. Mar. 4, 1993).

IT IS THEREFORE ORDERED that this matter is **DISMISSED** with prejudice for lack of prosecution and failure to abide by a Court order.

S/Susan J. Dlott

Susan J. Dlott, Judge
United States District Court